

(provided in an appendix for the Examiner's convenience). Applicants herein respond to those rejections.

I. Rejection of claims under §112.

The Examiner rejected claims 1-4 and 29 based on their use of the term "effective." Applicants have amended independent claims 1 and 29 to remove the term "effective." Dependent claims 2-4 benefit accordingly.

II. Rejection of claims based on double patenting.

The Examiner rejected claims 1-4 and 29 under double patenting in light of U.S. Patent 5,946,594. Applicants contend that the claims are non-obvious in light of '594. For instance, claim 1 requires "contacting a substrate with a plasma of approximately 50 to 90 % of a metal-containing gas." (Emphasis added.) Similarly, claim 29 requires contacting a surface with "a plasma of approximately 50 to 90% metal-containing compound." (Emphasis added.) '594 on the other hand teaches plasma formed from a hydrocarbon gas and  $\text{TiCl}_4$  gas, wherein the flow rate of the hydrocarbon gas "should be four to about 1,000 times that for the  $\text{TiCl}_4$ ." ('594 at col. 4, ln. 1-2.) Applicants assert that such a relatively large flow rate for the hydrocarbon gas would not result in claim 1's plasma of approximately 50 to 90 % of a metal-containing gas or claim 29's plasma of approximately 50 to 90% metal-containing compound. In fact, Applicants contend that '594's teachings actually teach away from such limitations, thereby rendering the claims non-obvious.

III. Comments on the Statement of Reasons for Allowance.

The Examiner of the parent application indicated that, if a terminal disclaimer were to be filed for the benefit of claims 1-4 and 29, they would be allowable. In support of the claims' potential allowability, the Examiner proceeded to recite limitations that did not coincide with the scope of the subject matter defined by the language of the claims. Accordingly, Applicants

request that the Examiner reject the comments presented in the Office Action dated February 9, 2001, and express that claims all pending claims are allowable based on the fact that the prior art fails to disclose the combination of limitations recited in those claims.

Conclusion

Based on the amendments and remarks above, Applicants contend that the pending claims are in condition for allowance. If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is requested to contact Applicants' undersigned attorney at the number indicated.

Respectfully submitted,

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Appendix I  
Marked-up amended claims

1. (Once amended) A process of PECVD deposition of metal films comprising the steps of:  
providing an ion promoting atmosphere; and  
contacting a substrate with a plasma of approximately 50 to 90 % of a metal-  
containing gas in said ion promoting atmosphere at a pressure and temperature  
range sufficient for [effective] film deposition for said metal.
  
29. (Once amended) A process for PECVD deposition of metal-containing films on a surface,  
the process comprising:  
maintaining a pressure and a temperature which [are effective] allow for PECVD metal-  
containing film deposition; and  
contacting said surface with a plasma of approximately 50 to 90% metal-  
containing compound in a chemically inert atmosphere.

Appendix II  
Office Action dated February 9, 2001

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